

**REMARKS/ARGUMENTS:**

Claims 1-8 and 10-38, 49, 52-58 and 60-67 remain in the application. Claims 4 and 26 have been amended. Claims 9, 39-48, 50-51 and 59 have been canceled. Claims 28-38, 49, 52-58 and 60-67 are "new" relative to the patent subject to the reissue. Claims 1-8, 10-25 and 27 have been deemed in condition for allowance. Claims 26 and 28-62 were rejected.

Applicant wishes to point out to the Examiner that newly added claims 49 and 63 include most of the limitations cited in claim 16 of U.S. patent 6,135, 884 from which this application claims priority.

The MPEP 8<sup>th</sup> edition, section 1453 provides formatting guidelines for amendments to "new" claims in a reissue application and guidelines for support that satisfy 37 C.F.R. §1.173(c). In particular, MPEP 8<sup>th</sup> edition, section 1453, in the section **Amendment of New Claims**, recites,

An amendment of a "new claim" (i.e., a claim not found in the patent, that was previously presented in the reissue application) must be done by presenting the amended "new claim" containing the amendatory material, and completely underlining the claim. The presentation cannot contain any bracketing or other indication of what was in the previous version of the claim. This is because all changes in the reissue are made vis-à-vis the original patent, and not in comparison to the prior amendment. Although the presentation of the amended claim does not contain any indication of what is changed from the previous version of the claim, applicant must point out what is changed in the "Remarks" portion of the amendment. Also, per 37 CFR 1.173(c), each change made in the claim must be accompanied by an explanation of the support in the disclosure of the patent for the change.

Applicant believes the present amendment satisfies the requirements set out in 37 C.F.R. §1.173(c) and as described in MPEP 1453, Amendments to Reissue Applications.

***Allowable Subject Matter***

Claims 1-8, 10-25 and 27 have been deemed in condition for allowance. Applicant acknowledges and thanks the Examiner for the claims deemed allowable.

***Interview Summary of January 18, 2006***

The Applicant thanks the Examiner for time spent at the personal interview on January 18, 2006. Keith Moore, David Olynick and Examiner Layno attended the interview. Amendments to overcome the new matter rejection including limitations relating to a detachable "top box" were discussed.

***Support for "New" Claims***

Pursuant to 37 C.F.R. §1.173(c), support in the patent for the newly added claims is set forth in detail below for each of the new claims. It is respectfully submitted that the new claims are supported by the patent, that the new claims satisfy the written description requirement and the other requirements of 35 U.S.C. § 112, and that no new matter is being added.

Material from the specification of U.S. Patent No. 6, 368, 216 is recited in the following paragraphs. Cited column and line numbers refer to locations in this specification. As specified in section 1453, each change made in the claim is accompanied by an explanation of the support in the disclosure of the patent for the change.

**Claim 26-** Support for claim 26 may be found at least in the present specification at, for example, column 6:28-37, at column 7: 8-23, at column 9:3-35, column 9:57 – 13:20, section entitled "Video Content" at columns 15:22-17:33 and associated Figures. For example, "one or more interfaces designed or configured to input player tracking information into the gaming machine" and a player tracking device are described at least with respect to column 9:3-35. A main display and chassis is shown and described with FIGs. 1, 2 and 5. A gaming machine controller is described with respect to Figs. 5-7. A graphics controller "operable to provide the video content to the secondary display fast enough to allow animated objects to appear to move continuously on the secondary display." is described at least in regards to FIG. 6, Col. 9:57-Col. 13:20.

Col: 9:19-23 recites, "It should be noted that insertion of a player tracking card may alert the machine that a particular customer is playing. In response, the machine may display particular images on LCD 219." In Col: 9: 23-35, it is recited "display 518 ... which displays information relevant to player tracking, machine state, and/or electronic funds transfers. Such display information includes, for example, a prompt to enter a personal identification number, a notice a credit card transfer was authorized, an amount of the authorized transfer, machine diagnostics, insert coin messages, and bonusing for a particular game. ... Alternatively, the content displayed on display 518 may be provided on main display 220 or secondary display 219.

**Claim 28:** Embodiments of top boxes of the present invention are described with respect to Figs. 3a-4d.

**Claim 29:** See at least, Fig. 2, which shows a secondary display in a belly portion of the gaming machine.

**Claim 30, 52, 64:** See at least Col. 6:1-7, which enumerates types of displays

**Claims 31-34, 36, 53-56, 58, 65, 66:** See at least section entitled "Video Content" at columns 15:22-17:33 and Col. 9:23-35 for details of video content that may be displayed on displays of the present invention, such as a main display or a secondary display or Col 7: 8-23.

**Claims 35, 57, 67:** See at least Col. 9:3-35.

**Claim 37:** See at least Col. 9:23-25.

**Claims 38, 60:** See at least Col. 4, lines 20-22 and description of FIG. 7.

**Claim 49:** See at least support for claim 26 and description of FIGs. 3a-4d in regards to various top box embodiments.

**Claims 61, 62:** See at least description of FIGs. 5-7, which describes embodiments of multimedia boards of the present invention.

**Claim 63:** See at least support for claims 26 and 49. In addition, a multi-game enabled gaming machine is described in the section, "Video Content," at Col. 17:6-34.

#### ***Reissue Applications***

Examiner states, "Reissue oath/declaration filed with this application is defective because it fails to identify at least one error which is relied upon to support the reissue application." Applicant draws the Examiner's attention to the following error identified in the oath/declaration submitted with this application.

*5. On information and belief, the deficiency identified above arose as a result of an error by which issued claim 4 was inadvertently made dependent on issued claim 2 instead of issued claim 1. As a result of this error, the scope of issued claim 4 is narrower than that to which the applicants are entitled.*

MPEP 1414, Rev. 3, August 2005, states "Applicant need only specify in the reissue oath/declaration one of the errors upon which reissue is based. Where applicant specifies one such error, this requirement of a reissue oath/declaration is satisfied." Further, MPEP

1414, Rev. 3, August 2005, states, "In identifying the error, it is sufficient that the reissue oath/declaration identify a single word, phrase or expression in the specification or in an original claim, and how it renders the original patent wholly or partially inoperative or invalid."

Applicant believes the error identified in the oath/declaration identified above meets the standard as set forth in the MPEP. Therefore, Applicant believes the oath/declaration is not defective and would ask the Examiner to reconsider their objection.

### *Rejections under 35 U.S.C. § 102*

The Examiner rejected claims 26, 31, 32, 34-39, 41-46, 49, 53 and 56-60 under U.S.C. 102(b) as being anticipated by Miodunski, et al (U.S. patent no. 5,833, 540). The rejection is respectively traversed.

Claim 26 recites "a secondary display, which is a flat panel display, provided on said gaming machine at a location disposed apart from said main display operable to display video content comprising pixilated video frame data related to at least a secondary bonus game; a graphics controller operable to provide the video content to the secondary display fast enough to allow animated objects to appear to move continuously on the secondary display." These limitations are not anticipated by Miodunski. Miodunski, which appears to be 102(e) prior art to the present application, describes a communication device 130 with a keypad 132, display 134 and a processor (Col. 5:26-36). The communication device receives performance information from the gaming machine which can be used to place bonus credits directly onto the gaming machine (Col. 9:3-45).

Miodunski, describes two displays, a video display 140 and a display 134 on a gaming machine 104. Miodunski makes the distinction that 140 is a "video" display that displays representations of cards to the player (Col. 5:8-12), i.e., the game played on the gaming machine. The other display 134 is not described or called a "video" display. It is only described as being used to displays "textual" prompts to the player (Col. 5: 64-67, Col. 7:3-9, Col. 31-34). Player tracking devices that are contemporary with Miodunski have used a block type alpha-numeric LED or LCD displays that can generate some number of characters to display the information described in Miodunski.

In Miodunski, the second display 134, separate from the video display 140 used to display the main game is not described as a video display that is operable to display "video content comprising pixilated video frame data." Further, in Miodunski, displaying video content related to a secondary bonus game or player tracking information is not described. In addition, a graphics controller operable to provide video content to display 134 fast enough to allow

animated objects to appear to move continuously on display 134 is not described. Therefore, Miodunski can't be said to anticipate claim 26.

Claims 49 and 63 each recite, "a top box portion wherein said top box portion is detachable from the gaming machine and is located above the main display portion of the gaming machine, comprising; a secondary display separate from the main display which is operable to display video content comprising pixilated video frame data." Miodunski, as described above, does not describe "a secondary display separate from the main display which is operable to display video content comprising pixilated video frame data." Further, Miodunski does not describe a detachable top box portion comprising the secondary display. Therefore, Miodunski, can't be said to anticipate claims 49 and 63. Remaining claims depend from claims 26, 49 and 63. Therefore, Miodunski can't be said to anticipate claims 1-8 and 10-38, 49, 52-58 and 60-67 and the rejection is believed overcome thereby.

***Rejections under 35 U.S.C. § 103***

The Examiner rejected claims 26, 29, 50, 51 under U.S.C. 103(a) as being anticipated by Miodunski, et al (U.S. patent no. 5,833, 540) as applied to claim 26 above, and in further view of Kennedy or Claypole. The rejection is respectively traversed.

Claims 50 and 51 have been cancelled. Kennedy or Claypole disclose gaming machines with two displays. Kennedy or Claypole don't disclose player tracking or player tracking devices. As described above, Miodunski doesn't describe that the gaming machine is designed or configured to cause the player tracking information and the video content comprising pixilated video frame data related to player tracking information to be displayed on at least one of the main display and the secondary display. Since the Kennedy or Claypole references do not provide any teaching to overcome the deficiency cited in Miodunski, the combinations of Miodunski, Kennedy and Claypole can't be said to render obvious claims 26 and 29 and the rejection is believed overcome thereby.

The Examiner rejected claims 33 and 55 under U.S.C. 103(a) as being anticipated by Miodunski, et al (U.S. patent no. 5,833, 540) as applied to claim 26 above, and in further view of Charron. The rejection is respectively traversed.

Charron discloses a video poker gaming machines with a single display. Examiner relies on Charron to describe displaying a payable on a video display. Charron does not appear to describe player tracking or a detachable top box. As described above, Miodunski doesn't describe that the gaming machine is designed or configured to cause the player tracking information and the video content comprising pixilated video frame data related to player tracking information to be displayed on at least one of the main display and the secondary display. Further, Miodunski does not describe a detachable top box. Since Charron teachings cited by the Examiner references do not overcome the deficiencies cited in Miodunski, the

combination of Miodunski and Charron can't be said to render obvious claims 33 and 55 and the rejection is believed overcome thereby.

The Examiner rejected claims 47, 48, 61 and 62 under U.S.C. 103(a) as being anticipated by Miodunski, et al (U.S. patent no. 5,833, 540) as applied to claim 39 above, and in further view of Achmuller. The rejection is respectively traversed.

Claims 47 and 48 have been cancelled. Achmuller discloses a video gaming machines with a single display. Examiner relies on Achmuller to describe a multimedia board. Achmuller does not appear to describe player tracking or a detachable top box. As described above, Miodunski doesn't describe a detachable top box portion with a secondary display. Since Achmuller teachings cited by the Examiner references do not overcome the deficiencies cited in Miodunski, the combination of Miodunski and Achmuller can't be said to render obvious claims 61 and 62 and the rejection is believed overcome thereby.

***New Matter Rejection***

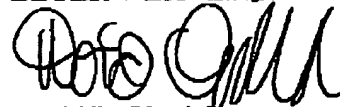
Applicant believes New Matter rejections are moot in view of the claims as amended. Support for the new claims is described in above in the section "support for 'new' claims."

***Rejections under 35 USC 112, first paragraph***

Applicant believes "112" rejections are moot in view of the claims as amended. Claim 46 has been cancelled.

Applicant believes that all pending claims are allowable and respectfully requests a Notice of Allowance for this application from the Examiner. Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at the telephone number set out below.

Respectfully submitted,  
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